

REMARKS

I. STATUS OF THE CLAIMS

The independent claims are amended herein.

New claim 61 is added.

Support for the claim amendments and new claim is found, for example, on page 40, lines 5-27, of the specification, and in FIG. 8.

In view of the above, it is respectfully submitted that claims 1, 52, 53, and 56-61 are currently pending.

II. CLAIMS 1, 52, 53 AND 56 – 59 ARE REJECTED UNDER 35 U.S.C. § 103(a) AS BEING UNPATENTABLE OVER HOGHOOGHI ET AL. (US 5,959,260) IN VIEW OF IRVIN (US 6,195,568) AND MURAMATSU ET AL. (US 6,477,391)

Claim 1 is amended to recite a light emitting module provided for the battery back, and a light receiving module provided for the main body and opposing the light emitting module while the battery pack is attached to the main body, to directly receive light emitted from the light emitting module. Moreover, claim 1 is amended to recite that, to transfer signals relating to the inputted biometric information from the battery pack and the main body, the light emitting module emits light and the light receiving module directly receives the emitted light while the battery pack is attached to the main body

Similar amendments are made to the other independent claims. Support for the amendments is found, for example, on page 40, lines 5-27, of the specification, and in FIG. 8.

None of the cited references, taken individually or in combination, discloses or suggests these features.

Muramatsu requires a light guide for the purpose of executing infrared optical communications between the portable information instrument 111 and the portable telephone 5. Muramatsu does not disclose a light emitting module and a light receiving module that operate as recited, for example, in claim 1.

Therefore, Muramatsu requires the use of a light guide. Embodiments of the present invention do not require the use of a light guide between the light emitting module and the light receiving module. The elimination of a light guide is a significant advantage of embodiments of the present invention.

In addition, as disclosed on page 40, lines 18-22, of the present application, embodiments of the present invention having the light emitting module and the light receiving module allow the protrusion of terminals, such as connectors, from the main body 10a and the battery pack 10b to outside thereof to be eliminated.

Further, according to Muramatsu, in a case of data communications, the portable telephone 5 is placed on the pedestal 2 of the telephone holder 1. Embodiments of the present invention do not need such a telephone holder. This is a significant advantage of embodiments of the present invention.

* * *

New claim 61 recites (a) a first light emitting module on the battery back, (b) a first light receiving module on the main body and positioned so that, when the battery back is attached to the main body, the first light receiving module directly receives light emitted by the first light emitting module, (c) a second light emitting module on the main body, and (d) a second light receiving module on the battery back and positioned so that, when the battery back is attached to the main body, the second light receiving module directly receives light emitted by the second light emitting module.

In accordance with the above comments, it is respectfully submitted that the cited references do not disclose or suggest the features recited in claim 61.

* * *

In view of the above, it is respectfully submitted that the rejection is overcome.

III. CONCLUSION

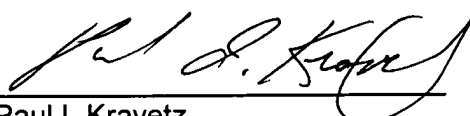
In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: January 28, 2008

By: 
Paul I. Kravetz
Registration No. 35,230

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500